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15 and MATTHEW LOFTON, on behalf of themselves and all  
16 others similarly situated

17 UNITED STATES DISTRICT COURT

18 CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION

19 PATRICK LaCROSS, ROBERT LIRA and MATTHEW LOFTON, on behalf of themselves and all others similarly situated, ) Case No. EDCV18-00771 JGB (JCx)  
20 Plaintiffs, ) Courtroom: 1 (Riverside)  
21 vs. ) Hon. Jesus G. Bernal, Judge  
22 KNIGHT TRANSPORTATION, INC., an Arizona corporation; KNIGHT TRUCK and TRAILER SALES, LLC, an Arizona Limited Liability Company; and DOES 1 through 100, inclusive, )  
23 ) **PLAINTIFFS' NOTICE OF MOTION AND MOTION TO REMAND TO STATE COURT; MEMORANDUM OF POINTS & AUTHORITIES IN SUPPORT THEREOF; [PROPOSED] ORDER; CERTIFICATE OF INTERESTED PARTIES**  
24 )  
25 Defendants. )  
26 \_\_\_\_\_

27 Date: June 23, 2014  
28 Time: 9:00 a.m.  
CtRm: 1  
Action Filed: 04/18/14

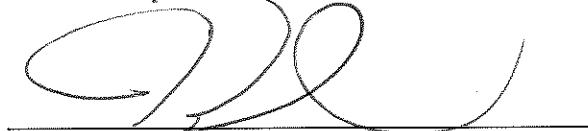
1 NOTICE IS HEREBY GIVEN that, on June 23, 2014, at 9:00 a.m. or as  
2 soon thereafter as the matter may be heard, in Courtroom 1 of this Court, specially  
3 appearing Plaintiffs, PATRICK LaCROSS, ROBERT LIRA and MATTHEW  
4 LOFTON ("Plaintiffs"), will move for an Order remanding this action to state  
5 court.

6 Said motion will be made on the grounds that Defendants have failed to  
7 introduce any evidence (admissible or otherwise) to support their allegation that  
8 the amount in controversy herein exceeds the federal minimum jurisdictional limit  
9 and thereby fails to meet their burden to prove the same.

10 The motion will be based on this notice of motion, the memorandum of  
11 points and authorities set forth below, the declaration of James M. Trush,  
12 Plaintiffs' objections to evidence, the papers and records on file herein and on  
13 such oral and documentary evidence as may be presented at the hearing of the  
14 motion.

15 May 17, 2014

TRUSH LAW OFFICE, APC  
PERONA, LANGER, BECK, SERBIN,  
MENDOZA & HARRISON, APC

18 By: 

19 James M. Trush, Esq.  
20 Brennan S. Kahn, Esq.  
21 Attorneys for Plaintiffs, PATRICK  
22 LaCROSS, ROBERT LIRA and  
23 MATTHEW LOFTON, on behalf of  
24 themselves and all others similarly situated

**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the City of Costa Mesa, County of Orange, State of California. I am over the age of 18 years and not a party to the within action. My business address is 695 Town Center Drive, Suite 700, Costa Mesa, California. On May 19, 2014, I served the documents named below on the parties in this action as follows:

DOCUMENT(S) SERVED: Ntc. of Mo. & Mo to Remand to State Court; Points & Authorities in Support; Dec. of James M. Trush; Objections to Evidence; Certificate of Interested Parties; [Proposed] Order

SERVED UPON: SEE ATTACHED SERVICE LIST

(BY MAIL) I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Irvine, California. I am readily familiar with the practice of **Trush Law Office, APC** for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal Service the same day as it is placed for collection. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit;

(BY PERSONAL SERVICE) I delivered to an authorized courier or driver authorized by **DDS Attorney Service** to receive documents to be delivered on the same date. A proof of service signed by the authorized courier is available upon request.

(BY FEDERAL EXPRESS) I am readily familiar with the practice of **Trush Law Office, APC** for the collection and processing of correspondence for overnight delivery and know that the document(s) described herein will be deposited in a box or other facility regularly maintained by Federal Express for overnight delivery)

(BY FACSIMILE) The above-referenced document was transmitted by facsimile transmission and the transmission was reported as complete and without error. Pursuant to C.R.C. 2009(I), I caused the transmitting facsimile machine to issue properly a transmission report, a copy of which is maintained at **Trush Law Office, APC**, and is available upon request.

(BY ELECTRONIC MAIL) The above-referenced document was transmitted by electronic mail transmission to the electronic mail address last provided me by the person(s) shown on the accompanying Service List, and I hereby attest that no information was received by sender indicating that the electronic mail transmission was undeliverable.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(FEDERAL) I declare under penalty of perjury under the laws of the United States of America that the above is true and correct and that I took said action(s) at the direction of a licensed attorney authorized to practice before the Federal Courts.

Executed on May 19, 2016, at Costa Mesa, California.

california.  
Julie Kennedy  
JULIE KENNEDY

1 SERVICE LIST

2 LaCross v. Knight Transportation - IC  
3 USDC/Central/Case No. EDCV18-00771 JGB (JCx)

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